

Notice of Determination**- 1 -****To:**

Office of Planning and Research
 For U.S. Mail:
 P.O. Box 3044
 Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
 Sacramento, CA 95814

From:

California Department of Fish and Wildlife (CDFW)
 Bay Delta Region
 2825 Cordelia Road, Suite 100, Fairfield, CA 94534
 Contact: Robert Stanley, Senior Environmental Scientist
 Phone: (707) 339-6534

California Department of Transportation
 111 Grand Avenue, Oakland, CA 94612
 Contact: Wahida Rashid
 Phone: (510) 286-5935

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code § 21108

State Clearinghouse Number: 2019099072

Project Title: State Route 29/State Route 221 Soscol Junction Improvement Project [California Endangered Species Act (CESA) Incidental Take Permit No. 2081-2021-020-03 (ITP)]

Project Location: The State Route 29 (SR-29) – State Route 221 (SR-221) Soscol Junction Improvement Project (Project) is located on SR-29 from Post Mile (PM) 5.6 to 6.7 and on SR-221 from PM 0.0 to 0.4. in unincorporated Napa County, California in the Cuttings Wharf, United States Geological Survey (USGS) quadrangle.

Project Description: The California Department of Transportation (Permittee) proposes in association with the Napa Valley Transportation Authority the construction of a tight diamond interchange with two multi-lane roundabouts on either side of SR-29. SR-29 will be rebuilt as an overcrossing north of the intersection with SR-221, providing separation between SR-29 and the SR-221 northbound ramp and the adjacent roundabout entry. SR-29 will continue to operate with two lanes in each direction. SR-221 will include two roundabouts with two lanes southbound and connecting to eastbound SR-29 and one lane northbound traveling from Soscol Ferry Road transitioning to SR-221 and single-lane ramp connectors from southbound SR-221 to westbound SR-29, and eastbound SR-29 to southbound on Soscol Ferry Road. The existing ramp connector from westbound SR-29 to northbound SR-221 will remain in place. The Project will include standard shoulders, curbs, gutters, and existing signage would remain in place. New signage will also be located within the Caltrans Right of Way (ROW). The Project will also include pedestrian and bicycle circulation, drainage work, landscaping, utilities, ground disturbance, earthwork and restoration. The Project will occur in six stages over the course of three construction seasons from 2022 to 2024.

The Project has an 87.87-acre Biological Study Area (BSA) that encompasses the Soscol Junction Interchange and all of the Caltrans Right-of-Way (ROW), collectively, the Project Area. The Project is expected to cause the permanent loss of 7.25 acres, the temporary loss of 10.09 of foraging habitat for the Covered Species, for a total of 17.34 acres of impact. This Project is also expected to cause the potential loss of one (1) known nesting occurrence within the Project Area. Project activities and their resulting impacts are expected to result in the incidental take of individuals of the Covered Species. The activities that are expected to result in incidental take of individuals of the Covered Species include initial site setup, equipment and material delivery, clearing and grubbing, site preparation, exclusionary fencing installations, environmentally sensitive area fencing installations, pavement and concrete removal, concrete pump truck activities, soil excavation, soil compaction, grading work, pavement installation, heavy equipment operation, trenching, construction vehicle traffic, general vehicle traffic and personnel on foot. The project is expected to result in incidental take of Swainson's hawk take as defined by Fish and Game Code in the form of adverse impacts from excessive artificial light pollution, noise from the operation of heavy equipment and encroachment from individuals on foot that may result in nest abandonment and the loss of Covered Species eggs or juveniles, or in the form of capture to recover and transport injured Covered Species to care facilities of Swainson's hawk, designated as a threatened species under CESA. The ITP referenced above as issued by CDFW authorizes incidental take of species listed under CESA that may occur as a result of Project implementation.

This is to advise that CDFW, acting as [the lead agency / a responsible agency] approved the above-described project on 8/20/2021 and made the following determinations regarding the above described project:

1. The project [will / will not] have a significant effect on the environment (This determination is limited to effects within CDFW's permitting jurisdiction as a responsible agency).
2. [An environmental impact report / A negative declaration] was prepared by the lead agency for the original project.

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- 3. Additional mitigation measures were / were not] made a condition of CDFW’s approval of the project.
- 4. A mitigation reporting or monitoring plan was / was not] adopted by CDFW for this project.
- 5. A Statement of Overriding Considerations was / was not] adopted by CDFW for this project.
- 6. Findings were / were not] made by CDFW pursuant to Public Resources Code § 21081(a). CDFW did, however, adopt findings to document its compliance with CEQA.
- 7. Compliance with the environmental filing fee requirement at Fish and Game Code § 711.4 (check one):
 - Payment is submitted with this notice.
 - A copy of a receipt showing prior payment was submitted to CDFW.
- Responsible Agency statement: The Mitigated Negative Declaration prepared by the lead agency for the Project is available to the general public at the office location listed above for the lead agency. CDFW’s administrative record of proceedings related to the incidental take permit is available to the public for review at CDFW’s regional office.

DocuSigned by:
Stacy Sherman
 Signature _____ Date: 8/20/2021
 Stacy Sherman, Acting Regional Manager

Date Received for filing at OPR: _____